



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Skotheim, et al. Docket No.: 57519.00059
Application No.: 09/721,578 Group Art Unit: 1745
Filing Date: November 21, 2000 Examiner: Cantelmo
TITLE: LITHIUM ANODES FOR ELECTROCHEMICAL CELLS

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(B)

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REJECTION

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The owner, Moltech Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending Application Number 09/721,519, filed on November 21, 2000 and Application Number 09/864,890 filed on May 23, 2000, the term being defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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October 17, 2003

Date

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